

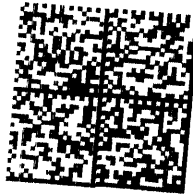
STATE OF ALABAMA

OFFICE OF

ATTORNEY GENERAL

11 SOUTH UNION STREET

MONTGOMERY, ALABAMA 36130-0152

ADDRESS SERVICE REQUESTED

014H15204654
\$0.390
05/01/2006
Mailed From 36123
US POSTAGE

Charles Kelvin Jones
AJS 154434 DM 11
Veterans Correctional
PO Box 767 Clayton Ala 36026

EXHIBIT 1

EXHIBIT "K"

TWELFTH JUDICIAL CIRCUIT OF ALABAMA
OFFICE OF THE DISTRICT ATTORNEY
P. O. BOX 812
TROY, ALABAMA 36061

Charles Kevin Johns AIS# 1574434
Ventress Correctional Facility
Clayton, AL 36016

154434

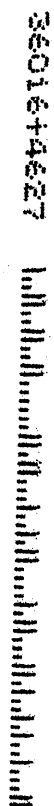
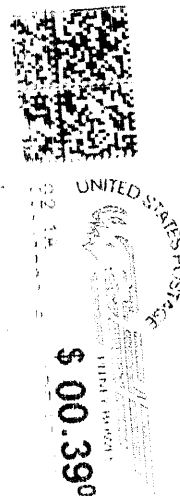


EXHIBIT "K"

STATE OF ALABAMA
OFFICE OF
ATTORNEY GENERAL
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130-0152
ADDRESS SERVICE REQUESTED

11
Charles
Andrew Phillip Johns
AIS #154434
Ventress Correctional Facility
P. O. Box 767
Clayton, Alabama 36016-0767



36016+0767-67 8007

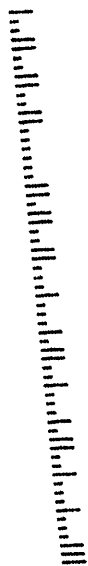


EXHIBIT "K"

COURT OF CRIMINAL APPEALS
STATE OF ALABAMA
JUDICIAL BUILDING, 300 DEXTER AVENUE
P. O. Box 301555
MONTGOMERY, AL 36130-1555

H.W. "Bucky" McMILLAN
Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges

October 15, 2003

Lane W. Mann
Clerk
Wanda K. Ivey
Assistant Clerk
(334) 242-4590
FAX (334) 242-4689

Mr. Charles Kelvin Johns
AIS #152535
P. O. Box 388
Tutwiler, MS 38963

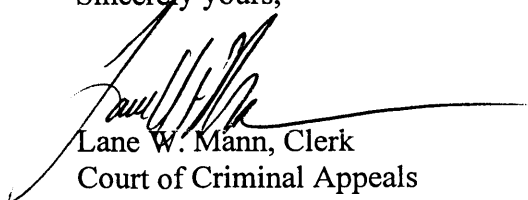
Re: CR-02-1375
Charles Kelvin Johns, alias v. State

Dear Mr. Johns:

This is in response to your recent letter about the above referenced appeal. Please be advised that after Mr. Brantley was allowed to withdraw from representing you, Thomas H. Claunch, III was appointed to represent you.

Your case was submitted on briefs on October 10, 2003. A decision has not yet been rendered. After a decision is reached, you should be notified by Mr. Claunch.

Sincerely yours,



Lane W. Mann, Clerk
Court of Criminal Appeals

LWM/jz

cc: Honorable Thomas H. Claunch, III
2800 Zelda Road, Suite 100-9
Montgomery, AL 36106

EXHIBIT "K"

CBR716-3

ALABAMA DEPARTMENT OF CORRECTIONS
INMATE SUMMARY AS OF 03/20/2003INST: 017
CODE: CRSUM

AIS: 00154434A INMATE: JOHNS, CHARLES KELVIN

RACE: B SEX: M

INST: 017 - RCC

DORM: 00 JAIL CR: 000Y 03M 02D

DOB: 07/29/1960 SSN: 417-94-0303

ALIAS: JOHNS, C KELVIN

ALIAS: JOHNS, CHARLES

ALIAS: MYHAND, CHARLES

ADM DT: 03/13/2003 DEAD TIME: 000Y 00M 00D

ADM TYP: LIFE SENTENCE

STAT: LIFE SENTENCE

CURRENT CUST: QUR-9 CURRENT CUST DT: 03/14/2003 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: NO CLASSIFICATION RECORD FOUND

SERVING UNDER ACT446 LAW IN CLASS IV

CURRENT CLASS DATE: 03/13/2003

INMATE IS EARNING : PROHIBITED FROM EARNING GOODTIME

| COUNTY | SENT DT | CASE NO | CRIME | JL-CR | TERM |
|-----------------|----------|-----------|---------------------|-------|-----------|
| PIKE | 03/13/03 | N02000096 | KIDNAPPING II | 00920 | LIFE CS |
| ATTORNEY FEES : | | \$000000 | HABITUAL OFFENDER : | | Y |
| COURT COSTS : | | \$0000328 | FINES : | | \$0000000 |
| | | | RESTITUTION : | | \$0000050 |

| TOTAL TERM | MIN REL DT | GOOD TIME BAL | GOOD TIME REV | LONG DATE |
|------------|------------|---------------|---------------|-----------|
| LIFE | 00/00/0000 | | | LIFE |

INMATE LITERAL:

DETAINDER WARRANTS SUMMARY

INMATE CURRENTLY HAS NO DETAINDER WARRANT RECORDS

ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

INMATE HAS NO ESCAPES FROM ALABAMA D.O.C.

SINCE O.B.S.C.I.S. RECORDING BEGAN IN 1978

DISCIPLINARY/CITATION SUMMARY

INMATE CURRENTLY HAS NO DISCIPLINARY/CITATION RECORDS

EXHIBIT K

EXHIBIT "K"

1
THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHARLES KELVIN JOHNS,)
AIS #154434,)
)
Petitioner,)
) C.V. NO. 2.06-CV-229-WHA
vs.)
)
WARDEN KENNETH JONES, and)
THE ATTORNEY GENERAL FOR)
THE STATE OF ALABAMA,)
)
Respondents.)

ANSWER

GENERAL RESPONSE

Come the Respondents in the above-styled cause, by and through the Attorney General of the State of Alabama, and, in response to this Honorable Court's Order dated March 28, 2006, state the following:

1. Without waiving any possible other defenses (e.g. time bar, unmeritorious or unsupported claims), Respondents assert that the instant petition is due to be dismissed because the claims therein have either been procedurally defaulted, or are state law claims inappropriate for federal review, or are due to fail as unsupported by allegations and proof of conflict with relevant United States Supreme Court precedent.

EXHIBIT "K"

EXHIBIT "K"

CERTIFICATE OF SERVICE

3

I hereby certify that on this 10th day of April, 2006, I electronically filed the foregoing document, with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document, including exhibit to the following non-CM/ECF participant:

Andrew Phillip Johns
AIS #154434
Ventress Correctional Facility
P. O. Box 767
Clayton, Alabama 36016-0767

s/Hense R. Ellis II
Hense R. Ellis II (ELLI9296)
Office of the Attorney General
Alabama State House
11 South Union Street
Montgomery, AL 36130-0152
Telephone: (334) 242-7300
Fax: (334) 242-2848
E-Mail: hrellis@peoplepc.com

ADDRESS OF COUNSEL:

Office of the Attorney General
Criminal Appeals Division
Alabama State House
11 South Union Street
Montgomery, AL 36130
(334) 242-7300
119209/JOHNS
-001

EXHIBIT "K"

2

C.V. NO. 2.06-CV-229-WHA

GENERAL RESPONSE

1. Without waiving any possible other defenses (e.g. time bar, unmeritorious, or unsupported claims), Respondents assert that the instant petition is due to be dismissed because the claims therein have either been procedurally defaulted, or are state law claims inappropriate for federal